

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

May 22, 2020

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

KENNETH H.,¹

Plaintiff,

v.

ANDREW M. SAUL, Commissioner of
Social Security,

Defendant.

No. 4:19-CV-05218-EFS

**ORDER GRANTING THE PARTIES'
STIPULATED MOTION FOR
REMAND PURSUANT TO
SENTENCE FOUR OF 42 U.S.C. §
405(g)**

On May 21, 2020, the parties filed a Stipulated Motion for Remand. ECF No. 22. The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings before an administrative law judge (ALJ) for a de novo hearing and a new decision as to Plaintiff Kenneth H.'s application for supplemental security income payments under Titles II and XVI of the Social Security Act. As part of this de novo hearing on remand, the ALJ is to reconsider

¹ To protect the privacy of the social-security Plaintiff, the Court refers to him by first name and last initial or by "Plaintiff." See LCivR 5.2(c).

1 the period from September 1, 2013, through March 2, 2014, and the period
2 beginning August 6, 2016. The parties also agree that Plaintiff is entitled to
3 reasonable attorney fees and costs under the Equal Access to Justice Act, 28
4 U.S.C. § 2412(d), upon proper request to the Court.
5

6 Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**

- 7 1. The parties' Stipulated Motion for Remand, **ECF No. 22**, is
8 **GRANTED.**
- 9 2. Judgment shall be entered for **Plaintiff.**
- 10 3. This matter is **REVERSED** and **REMANDED** to the Commissioner
11 of Social Security for further administrative proceedings pursuant to
12 sentence four of 42 U.S.C. § 405(g). On remand, the ALJ is to conduct
13 a de novo hearing, including reconsidering the period from
14 September 1, 2013, through March 2, 2014, and the period beginning
15 August 6, 2016, and then issue a new decision as to Plaintiff's
16 application.
17
- 18 4. All pending motions are **DENIED AS MOOT.**
- 19 5. All hearings and other deadlines are **STRICKEN.**
- 20 6. If filed, the Court will consider Plaintiff's motion for fees and
21 expenses under the Equal Access to Justice Act.
22
- 23 7. The Clerk's Office is directed to **CLOSE** this file.
24
25
26

IT IS SO ORDERED. The Clerk's Office is directed to enter this Order and provide copies to all counsel.

DATED this 22nd day of May 2020.

s/Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge